

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

<b>R.A.Jr., (a minor child, by and through his</b>	)	
<b>Father and next best friend, Richard Lemmel</b>	)	
<b>Arnold,</b>	)	
<b>Plaintiff,</b>	)	
<b>v.</b>	)	<b>Case No.: 3:06-CV-337-WHA</b>
<b>DEPUTY SHERIFF WALTER LACEY,</b>	)	
<b>in his official and individual capacity</b>	)	
<b>Defendant.</b>	)	

**PLAINTIFFS' JURY INSTRUCTION NUMBER 10**

**PM CIV-FJPI § 1-1.44.2.1  
§ 1-1.44.2.1. Probable cause includes caution**

The test for probable cause is whether facts and circumstances within an officer's knowledge are sufficient to warrant a prudent person, or one of reasonable caution, to believe, in the circumstances shown, that a suspect has committed, is committing, or is about to commit an offense.

GIVEN \_\_\_\_\_

REFUSED \_\_\_\_\_